

UNITED STATES DISTRICT COURT
for the
Western District of Texas

The State of Texas)
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)
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Plaintiff(s))
)
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)
)
v.)
)
)
U.S. Department of Homeland Security, et al.)
)
)
)

Defendant(s))
)

Civil Action No. 2:23-cv-00055

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Juan Bernal, in his official capacity as Acting Chief Patrol Agent, Del Rio Sector, US Border Patrol
c/o Stephanie Rico, Civil Process Clerk at Office of US Attorney-WD of Texas
601 N.W. Loop 410
San Antonio, TX 78216-5597

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Ryan D. Walters
Office of the Attorney General
Special Litigation Division
PO Box 12548, Capitol Station
Austin, TX 78711-2548
ryan.walters@oag.texas.gov

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, PHILIP J. DEVLIN

Date: 10/27/23




Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:23-cv-00055

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Juan Bernal, in his official capacity as Acting Chief Patrol Agent, Del Rio Sector, US Border Patrol
 was received by me on *(date)* 10/27/23.

- I personally served the summons on the individual at *(place)* c/o Stephanie Rico, Civil Process Clerk at Office of US Attorney- WD of Texas
601 N.W. Loop 410, San Antonio, TX 78216-5597 on *(date)* 10/30/23; or
- I left the summons at the individual's residence or usual place of abode with *(name)*
, a person of suitable age and discretion who resides there,
 on *(date)* , and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)*
designated by law to accept service of process on behalf of (name of organization)
on (date) ; or
- I returned the summons unexecuted because ; or
- Other *(specify)*:

My fees are \$ for travel and \$ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

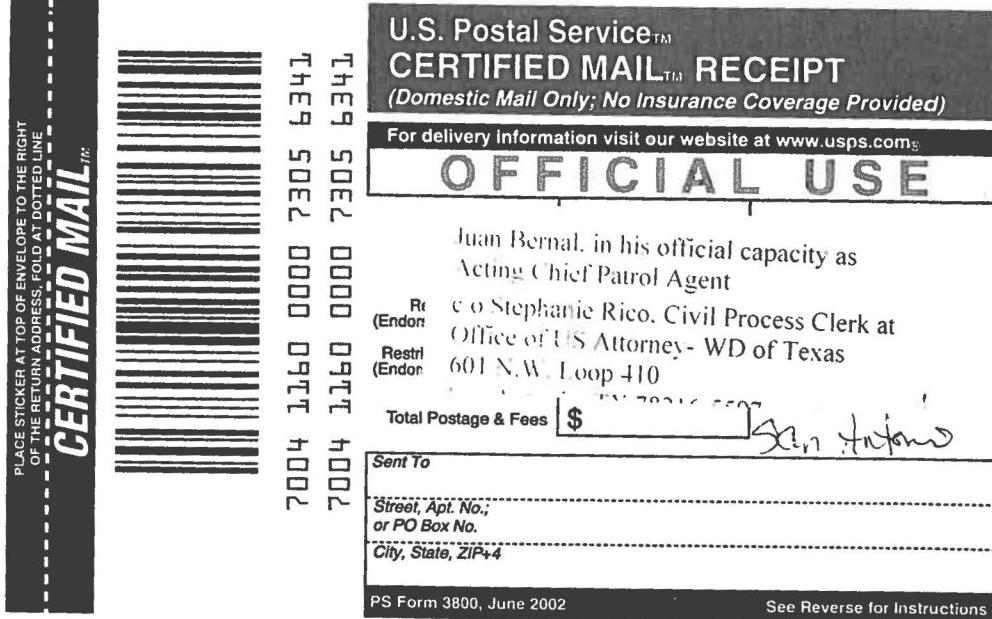
Date: 10/30/23/s/ Ryan D. Walters*Server's signature*Ryan D. Walters, Chief for Special Litigation Division*Printed name and title*

Office of the Attorney General
 PO Box 12548, Capitol Station
 Austin, TX 78711-2548

Server's address

Additional information regarding attempted service, etc:

On October 27, 2023, I served this summons, Plaintiff's Original Complaint, Plaintiff's Motion for Preliminary Injunction or Stay of Agency Action and Appendix, and Plaintiff's Emergency Motion for a Temporary Restraining Order or Stay of Agency Action and Appendix; via Certified Mail, Return Receipt Requested - 7004 1160 0000 7305 6341-Delivered 10/30/23.



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature X</p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>Juan Bernal, in his official capacity as Acting Chief Patrol Agent</p> <p>c/o Stephanie Rico, Civil Process Clerk at Office of US Attorney- WD of Texas 601 N.W. Loop 410</p> <p>San Antonio, TX 78216-5507 San Antonio, TX 78214</p> <p>9590 9402 6326 0296 0611 93</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Delivery Restricted Delivery <input type="checkbox"/> Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7004 1160 0000 7305 6341</p>			

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Your item was delivered to an individual at the address at 10:50 am on October 30, 2023 in SAN ANTONIO, TX 78216.

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Feedback

Delivered

Delivered, Left with Individual

SAN ANTONIO, TX 78216
October 30, 2023, 10:50 am

Out for Delivery

SAN ANTONIO, TX 78246
October 30, 2023, 6:10 am

Arrived at Post Office

SAN ANTONIO, TX 78246
October 30, 2023, 5:27 am

Arrived at USPS Facility

SAN ANTONIO, TX 78246
October 30, 2023, 4:15 am

Departed USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER
October 30, 2023, 4:01 am

Arrived at USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER

October 30, 2023, 1:28 am

Departed USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER ANNEX

October 29, 2023, 11:52 pm

Arrived at USPS Regional Facility

SAN ANTONIO TX DISTRIBUTION CENTER ANNEX

October 29, 2023, 7:45 pm

In Transit to Next Facility

October 29, 2023

Departed USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER

October 28, 2023, 8:04 am

Arrived at USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER

October 28, 2023, 2:07 am

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